22. 26.11.2019 Heard learned counsel for the petitioner and learned Central Government Counsel for the opposite party.

Short background involved in this case is that the petitioner was working as a constable in the C.I.S.F. and promoted to the rank of Asst. Sub-Inspector (Executive) in the year 1986. While the petitioner was continuing an explanation was sought for on account of the petitioner's second marriage. Consequently, charges were also issued. On submission of show cause by the petitioner an inquiry was conducted involving the issue. Ultimately the inquiry got finalized with the final order of punishment of removal from service. On appeal the appeal got dismissed and whereafter, the petitioner filed Writ Petition before the Gauhati High Court vide Civil Rule No.3666/1996 for setting aside the order of removal. The Gauhati High Court in disposal of such Civil Rule No.3666/1996 set aside the order of removal and directed the authority to pass minor punishment. Writ Appeal bearing No.179/2000 being filed the Division Bench of the Gauhati High Court dismissed the appeal involving minor punishment. It is consequent upon intervention of the Gauhati High Court the order of dismissal from service was converted to minor punishment. Petitioner preferred appeal, which being rejected, revision was also filed. Such revision was also rejected giving rise to file the present Writ Petition in the High Court of Orissa.

Considering the above and entering into the question of entertainability of such issue by the High

Court of Orissa, this Court finds, the entire cause of action involving the first round of litigation and the second round of litigation up to the Gauhati High Court level came under the jurisdiction of State of Assam and all departmental exercises are also made under the jurisdiction of State of Assam. Punishment order is also passed in the State of Assam. In such circumstance, this Court finds, the Writ Petition in this High Court is not entertainable, for which the writ petition is dismissed on the ground of jurisdiction alone.

Accordingly this Writ Petition stands dismissed.

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(Biswanath Rath, J.)

Ayas